

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD ERIC KANDELL,

Case No.: 2:23-cv-00248-APG-EJY

Plaintiff

Order

v.

[ECF No. 4]

SUR 702, et al.,

Defendants

On April 20, 2023, Magistrate Judge Youchah recommended that some of plaintiff Ronald Kandell's claims be dismissed with prejudice, some dismissed without prejudice, and that he be given until May 22, 2023 to file an amended complaint. ECF No. 4. Kandell twice requested extensions of time to object to the report and recommendation, which I granted. ECF Nos. 5, 7, 8, 10. Despite these extensions, Kandell did not file an objection by the June 16, 2023 deadline, and he did not request additional time. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Youchah's report and recommendation (ECF No. 4) is **accepted**. The following claims in plaintiff Ronald Kandell's complaint are dismissed with prejudice:

1. Claims under the "FEAR Act";
2. Claims under 18 U.S.C. § 249;

1 3. Claims under 18 U.S.C. § 1621; and

2 4. Claims under 18 U.S.C. § 650.

3 The following claims are dismissed without prejudice and with leave to amend:

4 1. Claims under Nevada Revised Statutes § 118A.290;

5 2. Claims under the Fair Housing Act for sexual orientation and disability
6 discrimination.

7 I FURTHER ORDER that plaintiff Ronald Kandell has until **July 23, 2023** to file an
8 amended complaint, if facts exist to do so. Failure to file an amended complaint by that date will
9 result in the case being closed.

10 DATED this 23rd day of June, 2023.

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12 ANDREW P. GORDON
13 UNITED STATES DISTRICT JUDGE
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